

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** Chair Mark Blasdel, on February 11, 2011 at 9:00 A.M., in Room 152  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Mark Blasdel, Chairman (R)  
Rep. Dick Barrett, Vice Chairman (D)  
Rep. Mike Miller, Vice Chairman (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Kelly Flynn (R)  
Rep. Alan Hale (R)  
Rep. Brian Hoven (R)  
Rep. Austin Knudsen (R)  
Rep. Steve Lavin (R)  
Rep. Sue Malek (D)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Mary McNally (D)  
Rep. Jerry O'Neil (R)  
Rep. Mike Phillips (D)  
Rep. Lee Randall (R)  
Rep. Janna Taylor (R)  
Rep. Kathleen Williams (D)  
Rep. Max Yates (R)

**Members Excused:** None

**Members Absent:** Rep. Wayne Stahl (R)

**Staff Present:** Lisa Adams, Committee Secretary  
Jeff Martin, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 460, 2/8/2011

Executive Action: HB 222; HB 248; HB 293; HB 308; HB 333

**HEARING ON HB 460**

**Opening Statement by Sponsor:**

00:00:04 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 460, Revise unit ownership act to exclude townhouses.

**Proponents' Testimony:**

00:02:34 Tom Llewellyn, Realtor  
00:03:43 Rep. Stahl arrived.  
00:07:25 Linda Stoll, Missoula County  
00:08:19 Joe Roberts, Montana Association of Realtors (MAR)  
00:08:55 Dustin Stewart, Montana Building Industry Association (MBIA)  
00:08:55 Rep. Knudsen left.

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:10:24 Rep. O'Neil  
00:10:43 Rep. Peterson  
00:11:44 Rep. O'Neil  
00:12:06 Rep. Peterson  
00:12:17 Rep. O'Neil  
00:12:29 Rep. Peterson  
00:13:26 Rep. Flynn  
00:13:40 Rep. Peterson  
00:13:51 Rep. Flynn  
00:14:00 Rep. Peterson  
00:14:10 Vice Chairman Miller  
00:14:53 Rep. Peterson  
00:15:27 Rep. Knudsen arrived.  
00:15:51 Rep. Phillips  
00:16:02 Rep. Peterson  
00:16:11 Rep. Williams  
00:16:41 Mr. Llewellynn  
00:16:49 Rep. Phillips left.

**Closing by Sponsor:**

00:17:48 Rep. Peterson  
  
00:18:51 Rep. Phillips arrived.

**EXECUTIVE ACTION ON HB 192**

HB 192 previous executive action February 2, 2011.

00:19:19 **Motion/Vote:** Rep. O'Neil moved that **HB 192 BE RECONSIDERED AND REMOVED FROM TABLED**. Motion carried unanimously by voice vote.

00:20:15 **Motion:** Rep. O'Neil moved that **HB 192 DO PASS AS AMENDED**.

**Discussion:**

00:21:30 Rep. O'Neil  
00:22:48 Rep. Hoven  
00:22:53 Rep. O'Neil  
00:23:00 Rep. Hoven  
00:23:14 Rep. O'Neil  
00:23:45 Rep. Barrett  
00:24:00 Mr. Martin  
00:25:25 Rep. Taylor  
00:26:08 Rep. Barrett  
00:26:57 Rep. Hoven  
00:27:47 Rep. Stahl  
00:27:58 Mr. Martin  
00:28:19 Chairman Blasdel  
00:28:25 Rep. Malek  
00:28:43 Mr. Martin  
00:29:12 Rep. Malek  
00:29:15 Mr. Martin  
00:30:01 Rep. McNally  
00:30:17 Mr. Martin

00:30:33 **Vote:** Motion carried 11-8 by roll call vote with Rep. Barrett, Rep. Blasdel, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting no.

00:31:58 Chairman Blasdel

**EXECUTIVE ACTION ON HB 293**

00:32:12 **Motion:** Rep. Miller moved that **HB 293 DO PASS**.

00:33:03 **Motion:** Rep. O'Neil moved that **HB 293 BE AMENDED**.  
**EXHIBIT(tah34a01)**

**Discussion:**

00:33:30 Rep. O'Neil  
00:34:14 Rep. Williams  
00:34:26 Rep. O'Neil  
00:34:50 Rep. Stahl  
00:35:25 Rep. Fitzpatrick  
00:35:55 Rep. O'Neil

00:36:27 Rep. Barrett  
00:39:36 Rep. O'Neil  
00:41:14 Rep. Barrett  
00:42:50 Rep. Phillips  
00:43:34 Mr. Martin  
00:44:09 Rep. Williams  
00:44:38 Mr. Martin  
00:44:55 Rep. Williams  
00:45:03 Rep. O'Neil  
00:45:08 Rep. Barrett

00:45:48 **Vote:** Motion on amendment failed unanimously by voice vote.

00:46:09 **Vote:** Motion carried unanimously by voice vote.

00:46:20 Chairman Blasdel

#### **EXECUTIVE ACTION ON HB 248**

00:46:46 **Motion:** Rep. Miller moved that **HB 248 DO PASS.**

#### **Discussion:**

00:47:02 Vice Chairman Miller  
00:47:43 Rep. Hoven  
00:48:31 Vice Chairman Miller  
00:48:46 Rep. Barrett  
00:48:55 Rep. Phillips  
00:49:29 Vice Chairman Miller  
00:49:44 Rep. Stahl

00:52:58 **Vote:** Motion carried 12-7 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting no.

#### **EXECUTIVE ACTION ON HB 222**

00:54:00 **Motion:** Rep. Barrett moved that **HB 222 DO PASS.**

00:54:09 **Motion:** Rep. Barrett moved that **HB 222 BE AMENDED.**

**EXHIBIT**(tah34a02)

#### **Discussion on amendment:**

00:59:10 Vice Chairman Miller  
00:59:41 Rep. Barrett  
01:00:12 Mr. Gene Walborn, Department of Revenue (DOR)  
01:00:35 Rep. Stahl  
01:01:00 Mr. Walborn  
01:01:35 Rep. Stahl  
01:01:48 Mr. Walborn  
01:01:53 Rep. O'Neil

01:02:33 Mr. Walborn  
01:02:49 Chairman Blasdel

01:03:25 **Vote:** Motion failed 8-11 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. O'Neil, Rep. Phillips and Rep. Williams voting aye.

**Discussion:**

01:04:00 Rep. Malek  
01:05:14 Vice Chairman Miller  
01:05:36 Rep. O'Neil  
01:06:43 Rep. Barrett  
01:08:26 Rep. Phillips  
01:08:55 Vice Chairman Miller  
01:09:16 Rep. Barrett  
01:10:28 Rep. Hoven  
01:11:40 Rep. McNally  
01:12:20 Vice Chairman Miller  
01:12:35 Rep. Yates  
01:13:30 Rep. Barrett  
01:14:37 Rep. Yates  
01:15:03 Rep. Barrett  
01:15:27 Rep. Malek  
01:17:37 Rep. Williams  
01:18:44 Vice Chairman Miller

01:20:14 **Vote:** Motion failed 8-11 by roll call vote with Rep. Barrett, Rep. Fitzpatrick, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting aye.

01:20:19 **Motion/Vote:** Rep. Blasdel moved that **HB 222 BE TABLED AND THE VOTE REVERSED**. Motion carried 18-1 by voice vote with Rep. Phillips voting no.

01:21:02 Rep. O'Neil

**ADJOURNMENT**

01:21:06      Adjournment: 10:26 am

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Lisa Adams, Secretary

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**Additional Exhibits:**

**[EXHIBIT](#)**(tah34a03)

Additional Documents:

**EXHIBIT**(**[tah34aad.pdf](#)**)